

DESIGN PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Ralf LERNER)	Group Art Unit 1763
Appln. No.	: 10/552,984)	Examiner William D. Coleman
Docket No.	: P28504)	Confirmation No. 2111
Customer No.	: 07055)	
Filed	: September 25, 2006)	
Title	: TEST STRUCTURE FOR ELECTRICALLY VERIFYING THE DEPTHS OF TRENCH- ETCHINGS IN AN SOI WAFER, AND ASSOCIATED WORKING METHODS)	

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

U.S. Patent and Trademark Office
Customer Service Window, Mail Stop *Issue Fee*
Randolph Building
401 Dulany Street
Alexandria, VA 22314

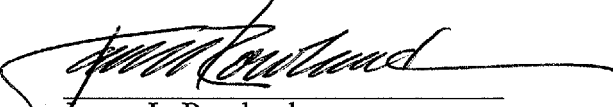
Sir:

This is in response to the Statement of Reasons for Allowance, set forth in an attachment to the Notice of Allowability (form PTOL-37), mailed May 4, 2009.

Although Applicant does not here express disagreement with the Examiner in his indication of reasons for allowance, Applicant notes that the allowed claims recite a plurality of features and the patentability of the allowed claims should be considered to be based upon the totality of the features recited therein, *i.e.*, the invention should be "considered as a whole," as defining over the prior art. *See, e.g., Panduit Corp. v. Dennison Mfg. Co.*, 810 F.2d 1561, 1 USPQ2d 1593 (Fed. Cir. 1987).

For example, Applicant submits that the reasons for allowance do not preclude the existence of additional reasons that could be cited as supporting the patentability of the allowed claims, *i.e.*, independent claims as well as dependent claims.

Respectfully submitted,
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